

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 03-4212

IN RE: KENSINGTON INTERNATIONAL LIMITED and
SPRINGFIELD ASSOCIATES, LLC, Petitioners

No. 03-4526

IN RE: D.K. ACQUISITION PARTNERS, L.P.; FERNWOOD ASSOCIATES, L.P.
AND DEUTSCHE BANK TRUST COMPANY AMERICAS, Petitioners

No. 04-1468

IN RE: USG CORPORATION, Petitioner

On Petitions for Writs of Mandamus
to the United States Bankruptcy Court
for the District of Delaware
(Related to Bankruptcy Nos. 00-03837, 01-01139 and 01-02094)

Argued on April 19, 2004
BEFORE: FUENTES, SMITH and GARTH, Circuit Judges

JUDGMENT

Upon consideration of the various Petitions for Writs of Mandamus, the Responses of Senior District Court Judge Alfred M. Wolin, the Respondents' Answers, the Petitioners' Replies and the arguments of counsel on April 19, 2004,

It is hereby ORDERED, ADJUDGED and DECREED by this Court that the prayers of the Petitioners are granted and the Clerk of this Court is directed to issue Writs of Mandamus in accordance with the opinion of this Court; and

It is FURTHER ORDERED that the stays heretofore imposed by this Court on the District Court and Bankruptcy Court in connection with these proceedings be, and hereby are, VACATED so that matters brought before the District Court and Bankruptcy Court may be resumed.

All in accordance with the Opinion of this Court.

Costs taxed against the Respondents.

ATTEST:

Clerk

Dated: May 17, 2004